

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**CHESTER GALLAGHER**

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**No. 3:22-CR-00327  
JUDGE TRAUGER**

**UNOPPOSED MOTION TO CONTINUE JULY 2, 2024 SENTENCING HEARING**

Comes now the defendant, Chester Gallagher, by and through undersigned counsel, and hereby moves this Honorable Court to continue his sentencing hearing to a date in mid-September. In support of this motion, Mr. Gallagher submits the following:

On January 30, 2024, Mr. Gallagher was convicted, following a jury trial, of the two charges alleged in the above referenced indictment. Following the jury's verdict, this Honorable Court scheduled his sentencing hearing for July 2, 2024. At the time of the scheduling, Mr. Gallagher had a jury trial date scheduled for April of 2024 in the Eastern District of Michigan.

Since the scheduling his July 2, 2024 sentencing hearing, the case in the Eastern District of Michigan has been continued from April 2024 and is currently scheduled for August 6 2024 (2:23-cr-20100 (EDMI), DE 175); that trial is expected to last for two weeks. Mr. Gallagher has elected to represent himself in that case (2:23-cr-20100 (EDMI),DE 169 & 174) and is concerned that if he is incarcerated at the time of the Michigan trial, his incarceration may interfere with his ability to meaningfully prepare for the August trial.

Additionally, Mr. Gallagher was recently scheduled for a surgical procedure that has been placed on hold. Mr. Gallagher's surgery required some medical testing as a prerequisite to determine if he physically could endure the surgery, however his insurance company refused to pay for the testing. Mr. Gallagher is objecting to the refusal of the insurance to pay for the testing and will reschedule. Due to the seriousness of the surgery, he would like to have it done or at least scheduled prior to his sentencing hearing.

Undersigned counsel has conferred with the government about this motion and the government's availability in mid to late September; the government does not object to this motion and is available in mid to late September. Undersigned counsel advises the Court that she has a jury trial scheduled in Davidson County Criminal Court that starts September 16<sup>th</sup> but should complete no later than September 18<sup>th</sup>.

Based upon the foregoing, Mr. Gallagher requests that the Court grant the instant motion and continue his sentencing hearing to a date convenient for the Court in mid to late September of 2024.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing Motion was filed electronically and served on the following by the EF/CME electronic filing system:

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This the 3rd day of June 2024.

/s/ Jodie A. Bell  
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